

NO: FST CV 15 5015035S : SUPERIOR COURT  
GIRL DOE, PPA MOTHER DOE, ET AL. : J.D. OF STAMFORD  
v. : AT STAMFORD  
TOWN OF WILTON, ET AL : MARCH 2, 2017

**MOTION FOR SUMMARY JUDGMENT**

Pursuant to Practice Book § 17-44, et seq., the undersigned defendants, **Town of Wilton and Wilton Board of Education** (“defendants”) move for summary judgment as to all Counts of the plaintiffs’ Complaint, dated October 1, 2015.

As is more particularly set forth in the attached memorandum of law and supporting exhibits, the defendants are entitled to summary judgment for the following reasons:

- 1) There plaintiffs’ negligence claims are barred by the doctrine of governmental immunity to which no exception applies. (Counts One, Three, and Five).
- 2) Plaintiffs’ claims for negligent infliction of emotional distress otherwise fail as a matter of law. (Counts Three and Five).
- 3) Plaintiffs’ claims against the Town of Wilton should be dismissed to the extent that the Court grants summary judgment on the corresponding claims against the Board of Education, as the claims against the Town of Wilton are derivative of the claims against the Board of Education.

WHEREFORE, the undersigned defendants respectfully request that the instant motion be granted by this Court.

ORAL ARGUMENT IS REQUESTED  
TESTIMONY IS NOT REQUIRED

DEFENDANTS,  
TOWN OF WILTON and WILTON BOARD  
OF EDUCATION

By /s/ Thomas R. Gerarde  
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**CERTIFICATION**

This is to certify that a copy of the foregoing Motion for Summary Judgment was or will immediately be mailed or delivered electronically or non-electronically on March 2, 2017, to all parties and self-represented parties of record and to all parties who have not appeared in this matter and that written consent for electronic delivery was received from all attorneys and self-represented parties receiving electronic delivery.

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